

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-23277-2018

Date of decision: 01.06.2018

Sombir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Sajjan Singh, Advocate,
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 327 dated 27.12.2017 under Sections 354A, 452, 506 of the IPC and Section 12 of POCSO Act registered at Police Station Barauda (Baroda).

It is contended by learned counsel for the petitioner has been in custody since 27.12.2017. He further submits that the investigation in the matter has been completed and charges have been framed, however, as on date the trial is not proceeded since no statements have been recorded so far.

Mr. P.P. Chahar, learned DAG, Haryana, appearing on behalf of the respondent-State opposes the grant of regular bail, however, is not able to dispute the fact that the evidence is yet to be recorded.

I have heard learned counsel for the parties and in view of the fact that the petitioner has been in custody since 27.12.2017; the investigation in the matter has been completed; charges have been framed; and the trial is likely to take some time to conclude, without expressing any opinion on merits of the case, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

01.06.2018*Satyawan*

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)**JUDGE**

Yes.

No.